

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LOANDEPOT.COM, LLC,

Plaintiff,

-v-

CROSSCOUNTRY MORTGAGE, LLC, et al.,

Defendants.

CIVIL ACTION NO.: 22 Civ. 5971 (LGS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On March 16, 2023, the Court held a telephonic discovery conference with the parties (the “Conference”). (ECF min. entry Mar. 16, 2023). At the conclusion of the Conference, the Court scheduled a discovery status conference for **Wednesday, March 29, 2023 at 12:00 p.m.**, and instructed the parties that they should (i) meet and confer regarding all remaining document discovery disputes, and (ii) to the extent any issues remained in dispute, they could each file a letter of no longer than three (3) pages listing discovery disputes requiring the Court’s attention by **12:00 p.m. on Tuesday, March 28, 2023** (the “Pre-Conference Letters”). (Id.; see ECF No. 295 (the “March 16 Order”)).

Despite the Court’s clear instructions in the March 16 Order, however, within hours of the Conference, Plaintiff loanDepot.com LLC (“loanDepot”) filed a letter-motion requesting a pre-motion conference to discuss loanDepot’s anticipated motion to quash five non-party subpoenas served by Defendant CrossCountry Mortgage, LLC (“CrossCountry”) on loanDepot employees formerly employed by CrossCountry. (ECF No. 296 (the “Letter-Motion”)). While the Court several times during the Conference invited the parties to raise any additional ripe document

discovery disputes, loanDepot's counsel made no mention of any subpoenas, let alone that a dispute concerning subpoenas was brewing and required the Court's attention. The Letter-Motion circumvents the Court's instruction to raise all issues in the Pre-Conference Letters, and obstructs the Court's efforts to resolve the parties' discovery disputes efficiently and inexpensively. See Fed. R. Civ. P. 1.

Accordingly, loanDepot's Letter-Motion is DENIED. To the extent a dispute concerning subpoenas exists, loanDepot may discuss it, along with any other fact discovery issues that are ripe, in its Pre-Conference Letter due by noon on March 28, 2023.

Dated: New York, New York
March 17, 2023

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge